

**EIGHTY-FOURTH GENERAL ASSEMBLY
2012 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

APRIL 18, 2012

**HOUSE AMENDMENT TO
SENATE FILE 430**

S-5215

1 Amend Senate File 430, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 1, line 1, through page 2, line
4 22, and inserting:

5 <Section 1. Section 21.6, subsection 3, paragraph
6 a, subparagraph (3), Code Supplement 2011, is amended
7 to read as follows:

8 (3) Reasonably relied upon a decision of a court,
9 a formal opinion of the Iowa public information
10 board, the attorney general, or the attorney for the
11 governmental body, given in writing, or as memorialized
12 in the minutes of the meeting at which a formal oral
13 opinion was given, or an advisory opinion of the Iowa
14 public information board, the attorney general, or the
15 attorney for the governmental body, given in writing.

16 Sec. _____. Section 22.7, Code Supplement 2011, is
17 amended by adding the following new subsection:

18 NEW SUBSECTION. 65. Tentative, preliminary,
19 draft, speculative, or research material, prior
20 to its completion for the purpose for which it is
21 intended and in a form prior to the form in which it is
22 submitted for use or used in the actual formulation,
23 recommendation, adoption, or execution of any official
24 policy or action by a public official authorized to
25 make such decisions for the governmental body or the
26 government body. This subsection shall not apply to
27 public records that are actually submitted for use or
28 are used in the formulation, recommendation, adoption,
29 or execution of any official policy or action of a
30 governmental body or a government body by a public
31 official authorized to adopt or execute official policy
32 for the governmental body or the government body.

33 Sec. _____. Section 22.10, subsection 3, paragraph
34 b, subparagraph (3), Code Supplement 2011, is amended
35 to read as follows:

36 (3) Reasonably relied upon a decision of a court,
37 a formal opinion of the Iowa public information
38 board, the attorney general, or the attorney for the
39 government body, given in writing, or as memorialized
40 in the minutes of the meeting at which a formal oral
41 opinion was given, or an advisory opinion of the Iowa
42 public information board, the attorney general, or the
43 attorney for the government body, given in writing.>

44 2. Page 3, by striking lines 19 through 31 and
45 inserting:

46 <1. An Iowa public information board is created
47 consisting of nine members appointed by the governor,
48 subject to confirmation by the senate. No more than
49 three members appointed shall be representatives from
50 the media including newspapers and no more than three

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1 members appointed shall be representatives of cities,
2 counties, and other political subdivisions of the
3 state.>

4 3. Page 3, by striking lines 32 through 35 and
5 inserting:

6 <2. Appointments to the board shall be subject to
7 sections 69.16 and 69.16A.>

8 4. Page 4, line 4, by striking <four> and inserting
9 <five>

10 5. Page 4, after line 12 by inserting:

11 8. The board shall be an independent agency.>

12 6. Page 4, line 32, by striking <dismiss the action
13 without prejudice> and inserting <stay the action
14 pending resolution of the complaint with the board>

15 7. Page 5, line 1, by striking <dismissed> and
16 inserting <stayed>

17 8. Page 5, by striking lines 12 through 18 and
18 inserting:

19 <1. Employ one employee as executive director who
20 is an attorney admitted to practice law in the courts
21 of this state to execute its authority and prosecute
22 respondents in proceedings before the board and to
23 represent the board in proceedings before a court.>

24 9. By striking page 7, line 32, through page 8,
25 line 1.

26 10. Page 9, line 25, after <respondent.> by
27 inserting <Notwithstanding section 17A.10A, if there
28 are no material facts in dispute, the board may order
29 that the contested case procedures relating to the
30 presentation of evidence shall not apply.>

31 11. Page 9, line 25, after <by the> by inserting
32 <executive>

33 12. Page 10, after line 11 by inserting:

34 <(3) Require the respondent to take any remedial
35 action deemed appropriate by the board.>>

36 13. By striking page 10, line 33, through page 11,
37 line 6.

38 14. Page 11, line 11, by striking <2011> and
39 inserting <2012>

40 15. Page 11, by striking lines 13 and 14 and
41 inserting <contrary, the executive director of the
42 board shall not be hired prior to July 1, 2013.>

43 16. Page 11, line 15, by striking <2012> and
44 inserting <2013>

45 17. Page 11, line 19, after <operations,> by
46 inserting <procedures for the handling of confidential
47 information by the executive director and members of
48 the board, conflict of interest policies for board
49 members,>

50 18. Page 11, line 23, by striking <2012> and

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Page 3

1 inserting <2013>

2 19. Title page, line 3, by striking <fee and>

3 20. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5215 FILED APRIL 17, 2012

HOUSE AMENDMENT TO
SENATE FILE 2284

S-5216

1 Amend Senate File 2284, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I

COMPETENCY-BASED INSTRUCTION

7 Section 1. Section 256.7, subsection 26, paragraph
8 a, Code Supplement 2011, is amended by adding the
9 following new subparagraph:

10 NEW SUBPARAGRAPH. (02) The rules shall allow a
11 school district or accredited nonpublic school to award
12 high school credit to a student upon the demonstration
13 of required competencies for a course or content area,
14 as approved by an appropriately licensed teacher. The
15 school district or accredited nonpublic school shall
16 determine the assessment methods by which a student
17 demonstrates sufficient evidence of the required
18 competencies.

19 Sec. 2. COMPETENCY-BASED INSTRUCTION TASK FORCE.

20 1. The superintendents of the school districts
21 that have been approved by the department of education
22 to implement competency-based instruction shall
23 appoint a task force to conduct a study regarding
24 competency-based instruction standards and options
25 and the integration of competency-based instruction
26 with the Iowa core curriculum, and to develop related
27 assessment models and professional development focused
28 on competency-based instruction.

29 2. At a minimum, the task force shall do all of the
30 following:

- 31 a. Redefine the Carnegie unit into competencies.
- 32 b. Construct personal learning plans and templates.
- 33 c. Develop student-centered accountability and
- 34 assessment models.
- 35 d. Empower learning through technology.
- 36 e. Develop supports and professional development
- 37 for educators to transition to a competency-based
- 38 system.

39 3. a. The task force shall be comprised of at
40 least sixteen members, nine of whom shall represent
41 education stakeholders and practitioners knowledgeable
42 about the Iowa core curriculum; one of whom shall be
43 the deputy director and administrator of the division
44 of learning and results of the department of education
45 or the deputy director's designee; one of whom shall
46 represent the area education agencies; one of whom
47 shall represent the Iowa state education association;
48 and four of whom shall represent the general assembly.

49 b. The four members of the general assembly
50 shall serve as ex officio, nonvoting members. One

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1 representative shall be appointed by the speaker of
2 the house of representatives, one representative shall
3 be appointed by the minority leader of the house of
4 representatives, one senator shall be appointed by the
5 majority leader of the senate after consultation with
6 the president of the senate, and one senator shall be
7 appointed by the minority leader of the senate.

8 4. The person representing the area education
9 agency shall convene the initial meeting. The task
10 force shall elect one of its members as chairperson.
11 After the initial meeting, the task force shall
12 meet at the time and place specified by call of the
13 chairperson. The department of education shall provide
14 staffing services for the task force.

15 5. a. The task force shall submit a preliminary
16 report that includes but is not limited to its
17 findings and recommendations relating to subsection 2,
18 paragraphs "b", "d", and "e", by January 15, 2013.

19 b. The task force shall submit its plan, findings,
20 models, and recommendations in a final report to the
21 state board of education, the governor, and the general
22 assembly by November 15, 2013.

23 Sec. 3. EFFECTIVE UPON ENACTMENT. This division of
24 this Act, being deemed of immediate importance, takes
25 effect upon enactment.

26 DIVISION II

27 CORE CURRICULUM MATTERS

28 Sec. 4. Section 256.7, subsection 26, paragraph
29 a, Code Supplement 2011, is amended by adding the
30 following new subparagraph:

31 NEW SUBPARAGRAPH (3) Notwithstanding any
32 provision to the contrary, an accredited nonpublic
33 school is not required to meet the core curriculum and
34 core content standards requirements of this chapter
35 that are in conflict with tenets and practices of
36 the bona fide religious institution in charge of the
37 school.

38 Sec. 5. Section 256.7, subsection 26, paragraph
39 a, Code Supplement 2011, is amended by adding the
40 following new subparagraph:

41 NEW SUBPARAGRAPH. (4) The provisions of section
42 256.18 shall be considered by the state board in
43 developing the core curriculum requirements.

44 Sec. 6. Section 256.9, Code Supplement 2011, is
45 amended by adding the following new subsections:

46 NEW SUBSECTION. 62. Appoint members to the core
47 curriculum framework and core content standards
48 advisory council established in section 256.41. The
49 director may establish objectives for the council in
50 accordance with section 256.41.

1 NEW SUBSECTION. 63. a. Create and disseminate
2 to school districts, charter schools, and accredited
3 nonpublic schools a model curriculum that is directly
4 tied to the goals, outcomes, and assessment strategies
5 identified in the core content standards. The model
6 curriculum shall identify a developmentally appropriate
7 scope and sequence of instruction applicable to
8 the core content standards, instructional material
9 resources, and teaching and assessment strategies.
10 The model curriculum shall provide guidance to school
11 districts and schools and expand on the core content
12 standards. The model curriculum shall be modified as
13 necessary to incorporate the core curriculum framework
14 developed pursuant to paragraph "b".

15 b. Develop by July 1, 2015, a core curriculum
16 framework aligned to the core curriculum standards
17 established pursuant to section 256.7, subsection 26.

18 Sec. 7. NEW SECTION. 256.27 Remediation council.

19 1. A remediation council is established consisting
20 of eight members appointed as follows:

21 a. One member representing the community colleges
22 appointed by the president of the Iowa association of
23 community college presidents.

24 b. One member representing the accredited private
25 institutions appointed by the president of the Iowa
26 association of independent colleges and universities.

27 c. One member representing the institutions of
28 higher education governed by the state board of regents
29 appointed by the president of the state board of
30 regents.

31 d. One member representing the practitioner
32 preparation programs at institutions of higher
33 education governed by the state board of regents
34 appointed by the president of the state board of
35 regents.

36 e. One member representing school districts
37 appointed by the president of the Iowa association of
38 school boards.

39 f. One member representing accredited nonpublic
40 schools appointed by the director of the department of
41 education.

42 g. One member representing the department of
43 education appointed by the director of the department
44 of education.

45 h. One member representing the area education
46 agencies appointed by the area education agency
47 administrators.

48 2. Council members shall serve three-year terms
49 beginning and ending as provided in section 69.19,
50 and appointments shall comply with sections 69.16 and

1 69.16A. Vacancies on the council shall be filled in
2 the same manner as the original appointment. A person
3 appointed to fill a vacancy shall serve only for the
4 unexpired portion of the term.

5 3. The member representing the department of
6 education shall convene the initial meeting. The
7 council shall elect one of its members as chairperson.
8 The council shall meet at least quarterly, and at any
9 time on the call of the chairperson.

10 4. The department shall provide staffing services
11 for the council.

12 5. a. Prior to the initial meeting of the council,
13 the member representing the community colleges shall
14 convene a meeting of members appointed pursuant to
15 subsection 1, paragraphs "a" through "d" to define
16 "remediation" for purposes of the council and outline
17 the skills and expectations for postsecondary level
18 attendance. The definitions and outline shall be
19 distributed and discussed at the initial council
20 meeting.

21 b. The council shall identify measures to help
22 students transition from the secondary to the
23 postsecondary level, limit the cost of remediation,
24 define and standardize the skill sets that determine
25 the need for remediation, and create effective
26 partnerships between secondary schools and higher
27 education institutions. The council shall review
28 activities and services designed to align school
29 district curricula with core postsecondary level
30 requirements and decrease the need for remedial
31 coursework at the secondary school grade level through
32 grade sixteen. The council shall develop strategies to
33 strengthen grade nine through grade sixteen standards,
34 competencies, assessment systems, and the professional
35 development of teachers. For the fiscal year beginning
36 July 1, 2012, the council shall focus on mathematics
37 and English remediation measures.

38 6. The council shall submit its findings and
39 recommendations in a report to the state board
40 of education and the general assembly by November
41 15 annually. The state board and department of
42 education shall use the findings and recommendations to
43 strengthen the common core curriculum and core content
44 standards.

45 Sec. 8. Section 256.18, subsection 1, Code 2011, is
46 amended by adding the following new paragraph:

47 NEW PARAGRAPH. 0b. Implementation of the core
48 curriculum requirements established pursuant to
49 section 256.7, subsection 26, on-going professional
50 development, and assessment in the areas of student

1 performance and educator performance shall include high
2 expectations, fair and reliable measures of student
3 achievement and teacher performance, and building
4 capacities that address research-based and data-driven
5 intentional cultures of safety and engagement,
6 competencies for positive behaviors, competencies for
7 deeper learning, and college, career, and citizenship
8 readiness.

9 Sec. 9. NEW SECTION. 256.41 Core curriculum
10 framework and core content standards advisory council.

11 1. A core curriculum framework and core content
12 standards advisory council is established under the
13 department.

14 2. The advisory council shall consist of no less
15 than seven members appointed by the director in
16 accordance with sections 69.16, 69.16A, and 69.16C.

17 Members shall serve at the pleasure of the director.

18 3. The department is the primary agency responsible
19 for providing administrative personnel and services for
20 the advisory council.

21 4. Members shall elect a chair annually and other
22 officers as the members determine. Members shall
23 establish rules of procedure for the advisory council.

24 5. The advisory council shall meet at least
25 quarterly and at the call of the chair.

26 6. Members of the advisory council shall serve
27 without compensation but may be reimbursed for actual
28 expenses incurred in the performance of their duties.

29 7. The advisory council shall review the core
30 curriculum, the core content standards, and the
31 model curriculum adopted pursuant to section 256.7,
32 subsections 26, 28, and 63 upon request of the director
33 and make recommendations to the director regarding a
34 core curriculum framework and any necessary changes
35 to the core curriculum content standards and model
36 curriculum. In making recommendations, the advisory
37 council shall seek to further the goals of the core
38 content standards and any objectives established by the
39 director.

40 Sec. 10. DEPARTMENT OF EDUCATION – CORE CURRICULUM
41 STUDY. The department of education shall conduct a
42 study of the core curriculum and the core content
43 standards and the skills necessary to prepare students
44 for the future. The department shall develop a plan
45 for meeting the global education needs of students in
46 kindergarten through grade twelve that, at a minimum,
47 determines how to incorporate content areas that
48 include but are not limited to fine arts, applied arts,
49 humanities, physical education, and world languages
50 into the core curriculum. The department shall submit

1 its findings and recommendations in a report to the
2 general assembly by November 15, 2012.

3 DIVISION III

4 TEACHER AND ADMINISTRATOR PERFORMANCE

5 Sec. 11. Section 256.7, Code Supplement 2011, is
6 amended by adding the following new subsection:

7 NEW SUBSECTION. 31. a. By January 1, 2013, adopt
8 rules establishing Iowa teaching standards that are
9 aligned with best practices and nationally accepted
10 standards.

11 b. By July 1, 2013, adopt by rule statewide
12 teacher evaluation system and statewide administrator
13 evaluation system pilot programs which shall be
14 implemented during the 2013-2014 school year. This
15 paragraph is repealed July 1, 2015.

16 Sec. 12. Section 256.9, Code Supplement 2011, is
17 amended by adding the following new subsection:

18 NEW SUBSECTION. 64. a. Develop a statewide
19 teacher evaluation system and a statewide administrator
20 evaluation system that school districts, charter
21 schools, and accredited nonpublic schools shall use
22 to standardize the instruments and processes used
23 to evaluate teachers and administrators throughout
24 the state. However, a charter school or accredited
25 nonpublic school may develop and submit to the
26 department for approval an alternative teacher
27 evaluation system that meets local and state
28 educational goals. Upon receiving approval from the
29 department, the charter school or accredited nonpublic
30 school may adopt and implement the approved alternative
31 teacher evaluation system in lieu of the statewide
32 teacher evaluation system.

33 b. The components of the statewide teacher
34 evaluation system shall include but not be limited to
35 the following:

36 (1) Direct observation of classroom teaching
37 behaviors.

38 (2) Strong consideration of student outcome
39 measures, when available for tested subjects and
40 grades, to validate direct observation of classroom
41 teaching behaviors.

42 (3) Integration of the Iowa teaching standards.

43 (4) System applicability to teachers in all content
44 areas taught in a school.

45 Sec. 13. Section 284.3, Code 2011, is amended by
46 adding the following new subsection:

47 NEW SUBSECTION. 4. This section is repealed July
48 1, 2013.

49 Sec. 14. Section 284.4, subsection 1, paragraph e,
50 Code 2011, is amended to read as follows:

1 e. (1) Adopt a teacher evaluation plan that, at
2 minimum, requires a an annual performance review of
3 teachers in the district at least once every three
4 years based upon the Iowa teaching standards and
5 individual professional development plans in accordance
6 with section 284.8, and requires administrators to
7 complete evaluator training in accordance with section
8 284.10.

9 (2) Adopt, by July 1, 2013, the statewide teacher
10 evaluation system developed pursuant to section 256.9,
11 subsection 64. However, the school district may
12 develop and submit to the department for approval an
13 alternative teacher evaluation system that meets local
14 and state educational goals. In lieu of the statewide
15 teacher evaluation system, the school district may
16 adopt and implement the alternative teacher evaluation
17 system upon receiving approval from the department.

18 Sec. 15. Section 284.8, subsections 1 and 2, Code
19 2011, are amended to read as follows:

20 1. A school district shall provide for an annual
21 review a of each teacher's performance at least
22 once every three years for purposes of assisting
23 teachers in making continuous improvement, documenting
24 continued competence in the Iowa teaching standards,
25 identifying teachers in need of improvement, or
26 to determine whether the teacher's practice meets
27 school district expectations for career advancement
28 in accordance with section 284.7. The review shall
29 be conducted by at least one evaluator certified in
30 accordance with section 284.10, and shall include, at
31 minimum, classroom observation of the teacher, the
32 teacher's progress, and implementation of the teacher's
33 individual professional development plan, subject
34 to the level of resources provided to implement the
35 plan; and shall include supporting documentation from
36 parents, students, and other teachers.

37 2. If, as a result of a review conducted pursuant
38 to subsection 1, a supervisor or an evaluator
39 determines, at any time, as a result of a teacher's
40 performance that the a teacher is not meeting district
41 expectations under the Iowa teaching standards
42 specified in section 284.3, subsection 1, paragraphs
43 "a" through "h" established by the state board by rule,
44 the criteria for the Iowa teaching standards developed
45 by the department in accordance with section 256.9,
46 subsection 46, and any other standards or criteria
47 established in the collective bargaining agreement,
48 the evaluator shall, at the direction of the teacher's
49 supervisor, recommend to the district that the teacher
50 participate in an intensive assistance program. The

1 intensive assistance program and its implementation
2 are subject to negotiation and grievance procedures
3 established pursuant to chapter 20. All school
4 districts shall be prepared to offer an intensive
5 assistance program.

6 Sec. 16. Section 284A.7, Code 2011, is amended to
7 read as follows:

8 284A.7 Evaluation requirements for administrators.

9 1. A school district shall conduct an annual
10 evaluation of an administrator who holds a professional
11 administrator license issued under chapter 272 ~~at~~
12 ~~least once every three years~~ for purposes of assisting
13 the administrator in making continuous improvement,
14 documenting continued competence in the Iowa standards
15 for school administrators adopted pursuant to section
16 256.7, subsection 27, or to determine whether the
17 administrator's practice meets school district
18 expectations. The review shall include, at a minimum,
19 an assessment of the administrator's competence in
20 meeting the Iowa standards for school administrators
21 and the goals of the administrator's individual
22 professional development plan, including supporting
23 documentation or artifacts aligned to the Iowa
24 standards for school administrators and the individual
25 administrator's professional development plan.

26 2. Adopt the statewide administrator evaluation
27 system developed pursuant to section 256.9, subsection
28 64. However, the school district may develop and
29 submit to the department for approval an alternative
30 administrator evaluation system that meets local and
31 state educational goals. In lieu of the statewide
32 administrator evaluation system, the school district
33 may adopt and implement the alternative administrator
34 evaluation system upon receiving approval from the
35 department.

36 Sec. 17. STATEWIDE EDUCATOR EVALUATION SYSTEM
37 TASK FORCE. The director of the department of
38 education shall appoint, and provide staffing services
39 for, a task force to conduct a study regarding a
40 statewide teacher evaluation system and a statewide
41 administrator evaluation system. The study of a
42 statewide teacher evaluation system shall include a
43 review of student outcome measures described in section
44 256.9, subsection 64, paragraph "b", subparagraph
45 (2). To the extent possible, appointments shall be
46 made to provide geographical area representation and
47 to comply with sections 69.16, 69.16A, and 69.16C.
48 The task force, at a minimum, shall include in its
49 recommendations and proposal a tiered evaluation
50 system that differentiates ineffective, minimally

1 effective, effective, and highly effective performance
2 by teachers and administrators. The task force shall
3 submit its findings, recommendations, and a proposal
4 for each system to the state board of education and
5 the general assembly by October 15, 2012. By November
6 26, 2012, the department of education shall submit a
7 departmental bill drafting request to the legislative
8 services agency in bill draft format making specific
9 and detailed proposed amendments to the Code of
10 Iowa necessary to advance the proposed task force
11 recommendations as approved by the state board of
12 education.

13 Sec. 18. TEACHER PERFORMANCE, COMPENSATION, AND
14 CAREER DEVELOPMENT TASK FORCE.

15 1. The director of the department of education
16 shall appoint, and provide staffing services for,
17 a teacher performance, compensation, and career
18 development task force to develop recommendations
19 for a new teacher compensation system to replace the
20 current teacher compensation system which addresses, at
21 a minimum, the following:

22 a. The duties and responsibilities of apprentice,
23 career, mentor, and master teachers.

24 b. Utilizing retired teachers as mentors.

25 c. Strategic and meaningful uses of finite
26 resources and the realignment of resources currently
27 available.

28 d. Mechanisms to substantially increase the average
29 salary of teachers who assume leadership roles within
30 the profession.

31 e. Standardizing implementation of task force
32 recommendations in all of Iowa's school districts and
33 public charter schools.

34 2. The director of the department of education
35 shall appoint and provide staffing services for a task
36 force whose members shall represent teachers, parents,
37 school administrators, and business and community
38 leaders. Insofar as practicable, appointments shall be
39 made to provide geographical area representation and to
40 comply with sections 69.16, 69.16A, and 69.16C.

41 3. The state board of education shall consider the
42 findings and recommendations of the task force when
43 adopting rules establishing Iowa teaching standards
44 pursuant to this Act.

45 4. The task force shall submit its findings and
46 recommendations in a report to the state board of
47 education, the governor, and the general assembly by
48 October 15, 2012.

49 Sec. 19. REPEAL. Section 284.14A, Code 2011, is
50 repealed.

1 Sec. 20. EFFECTIVE UPON ENACTMENT. The sections of
2 this division of this Act providing for the appointment
3 of the statewide educator evaluation system task
4 force and the appointment of the teacher performance,
5 compensation, and career development task force,
6 being deemed of immediate importance, take effect upon
7 enactment.

8 Sec. 21. FUTURE CONTINGENT REPEAL AND USE OF
9 EVALUATION SYSTEMS.

10 1. Section 256.7, subsection 31, and section 256.9,
11 subsection 64, as enacted in this division of this Act,
12 are repealed effective July 1, 2013, if the general
13 assembly fails to enact legislation during the 2013
14 Regular Session of the Eighty-fifth General Assembly
15 advancing the proposed statewide evaluator evaluation
16 system task force recommendations, as approved by the
17 state board of education, relating to the establishment
18 of a statewide teacher evaluation system and a
19 statewide administrator evaluation system.

20 2. Notwithstanding the sections of this division
21 of this Act amending sections 284.3, 284.4, 284.8,
22 and 284A.7, if the general assembly fails to enact
23 legislation during the 2013 Regular Session of the
24 Eighty-fifth General Assembly advancing the proposed
25 statewide evaluator evaluation system task force
26 recommendations, as approved by the state board of
27 education, relating to the establishment of a statewide
28 teacher evaluation system and a statewide administrator
29 evaluation system, effective July 1, 2013, all school
30 districts shall continue to use the teacher and
31 administrator evaluation systems in place on June 30,
32 2013.

33 DIVISION IV

34 ONLINE LEARNING

35 Sec. 22. Section 256.7, subsection 8, Code
36 Supplement 2011, is amended by striking the subsection
37 and inserting in lieu thereof the following:

38 8. Adopt rules providing for the establishment of
39 an online learning program model.

40 a. The rules shall limit the statewide enrollment
41 of pupils in educational instruction and course content
42 that is delivered primarily over the internet to not
43 more than eighteen one-hundredths of one percent of the
44 statewide enrollment of all pupils, and shall limit
45 the number of pupils participating in open enrollment
46 for purposes of receiving educational instruction
47 and course content that is delivered primarily over
48 the internet to no more than one percent of a sending
49 district's enrollment.

50 b. For purposes of this section and sections

1 256.9 and 256.27, "online learning" means educational
2 instruction and content which is delivered primarily
3 over the internet. "Online learning" does not include
4 printed-based correspondence education, broadcast
5 television or radio, videocassettes, or stand-alone
6 educational software programs that do not have a
7 significant internet-based instructional component.

8 Sec. 23. Section 256.9, Code Supplement 2011, is
9 amended by adding the following new subsection:

10 NEW SUBSECTION. 65. a. Develop and establish an
11 online learning program model in accordance with rules
12 adopted pursuant to section 256.7, subsection 8.

13 b. Grant a waiver to school districts, charter
14 schools, and accredited nonpublic schools that
15 implement an online learning program aligned with the
16 program model developed and established pursuant to
17 this subsection. A school district or school seeking a
18 waiver pursuant to this paragraph shall submit a plan
19 for an online learning program to the director for
20 approval. A school district or school whose online
21 learning program plan is approved by the director may
22 be granted a waiver only for purposes of implementing
23 the approved online learning program. The standards
24 that may be waived pursuant to this paragraph are as
25 follows:

26 (1) The minimum number of instructional days
27 required pursuant to section 279.10, subsection
28 1, and the minimum number of instructional hours
29 required pursuant to section 256.7, subsection 19.
30 Notwithstanding any provision to the contrary, the
31 waiver may exempt school districts and schools from
32 any statutory requirement that students be physically
33 present in a school building and under the guidance and
34 instruction of the instructional professional staff
35 employed by the school district or the school except as
36 necessary under the rules adopted pursuant to section
37 256.7, subsection 8.

38 (2) Any statutory requirement that a subject being
39 studied by a student enrolled in an approved online
40 learning program be a subject that is offered and
41 taught by the professional staff of the school district
42 or school.

43 c. Require that the school district or school
44 granted a waiver pursuant to paragraph "b" implement
45 and incorporate into its comprehensive school
46 improvement plan required under section 256.7,
47 subsection 21, accountability measures designed to
48 demonstrate that academic credit is awarded based
49 upon successful completion of content or achievement
50 of competencies by students enrolled in the approved

1 online learning program.

2 d. Establish criteria for school districts or
3 schools to use when choosing providers of online
4 learning to meet the online learning program
5 requirements specified in rules adopted pursuant to
6 section 256.7, subsection 8.

7 Sec. 24. NEW SECTION. 256.27 Online learning
8 program model.

9 1. Online learning program model established. The
10 director, pursuant to section 256.9, subsection 65,
11 shall establish an online learning program model that
12 provides for the following:

13 a. Online access to high-quality content,
14 instructional materials, and blended learning.

15 b. Coursework customized to the needs of the
16 student using online content.

17 c. A means for a student to demonstrate competency
18 in completed online coursework.

19 d. High-quality online instruction taught by
20 appropriately licensed teachers.

21 e. Online content and instruction evaluated on the
22 basis of student learning outcomes.

23 f. Use of funds available for online learning for
24 program development, implementation, and innovation.

25 g. Infrastructure that supports online learning.

26 h. Online administration of online course
27 assessments.

28 2. Online learning program waiver application. A
29 school district, charter school, or accredited
30 nonpublic school may apply to the department for a
31 waiver to implement an online learning program pursuant
32 to section 256.9, subsection 65.

33 3. Private providers. At the discretion of
34 the school board or authorities in charge of an
35 accredited nonpublic school, after consideration
36 of circumstances created by necessity, convenience,
37 and cost-effectiveness, courses developed by private
38 providers may be utilized by the school district or
39 school in implementing a high-quality online learning
40 program. Courses obtained from private providers shall
41 be taught by teachers licensed under this chapter.

42 4. Grading. Grades in online courses shall be
43 based, at a minimum, on whether a student mastered the
44 subject, demonstrated competency, and met the standards
45 established by the school district. Grades shall be
46 conferred by appropriately licensed teachers only.

47 5. Accreditation criteria. All online courses and
48 programs shall meet existing accreditation standards.

49 Sec. 25. NEW SECTION. 256.28 Iowa learning online
50 initiative.

1 1. An Iowa learning online initiative is
2 established within the department of education to
3 partner with school districts and accredited nonpublic
4 schools to provide distance education to high school
5 students statewide. The department shall utilize
6 a variety of content repositories, including those
7 maintained by the area education agencies and the
8 public broadcasting division, in administering the
9 initiative.

10 2. Coursework offered under the initiative shall
11 meet the requirements of section 256.7, subsections
12 7, 8, and 9, and shall be taught by an appropriately
13 licensed teacher who has completed an online-learning
14 -for-Iowa-educators-professional-development project
15 offered by area education agencies, a teacher
16 preservice program, or comparable coursework.

17 3. Under the initiative, students must be enrolled
18 in a participating school district or school, which
19 is responsible for recording grades received for
20 initiative coursework in a student's permanent record,
21 awarding high school credit for initiative coursework,
22 and issuing high school diplomas to students enrolled
23 in the district or school who participate and complete
24 coursework under the initiative. Each participating
25 school district or school shall identify a site
26 coordinator to serve as a student advocate and as a
27 liaison between the initiative staff and teachers and
28 the school district or school.

29 4. Coursework offered under the initiative shall
30 be rigorous and high quality, and the department
31 shall annually evaluate the quality of the courses,
32 ensure that coursework is aligned with the state's
33 core curriculum and core content requirements and
34 standards, as well as national standards of quality for
35 online courses issued by an internationally recognized
36 association for kindergarten through grade twelve
37 online learning.

38 5. The department may waive any requirement that a
39 subject being studied under the initiative by a student
40 enrolled in a school district or school participating
41 in the initiative be a subject that is offered and
42 taught by the professional staff of the participating
43 school district or school.

44 Sec. 26. Section 256.33, subsection 1, Code 2011,
45 is amended to read as follows:

46 1. The department shall consort with school
47 districts, area education agencies, community colleges,
48 and colleges and universities ~~to provide assistance~~
49 ~~to them~~ in the use of educational technology for
50 instruction purposes. The department shall consult

1 with the advisory committee on telecommunications,
2 established in section 256.7, subsection 7, and other
3 users of educational technology on the development
4 and operation of programs under this section, section
5 256.9, subsection 65, and section 256.27.

6 DIVISION V

7 CLASS SHARING AGREEMENTS

8 Sec. 27. Section 257.11, subsection 3, Code 2011,
9 is amended by adding the following new paragraph:

10 NEW PARAGRAPH. c. A school district that
11 collaborates with a community college to provide a
12 college-level class that uses an activities-based,
13 project-based, and problem-based learning approach and
14 that is offered through a partnership with a nationally
15 recognized provider of rigorous and innovative science,
16 technology, engineering, and mathematics curriculum
17 for schools, which provider is exempt from taxation
18 under section 501(c)(3) of the Internal Revenue Code,
19 is eligible to receive additional weighting under a
20 supplementary weighting plan adopted pursuant to this
21 subsection.

22 Sec. 28. Section 257.11, subsection 7, Code 2011,
23 is amended to read as follows:

24 7. Shared classes ~~delivered over the Iowa~~
25 ~~communications network.~~

26 a. A school district that provides a virtual class
27 to a pupil in another school district and the school
28 district receiving that virtual class for a pupil shall
29 each receive a supplemental weighting of one-twentieth
30 of the percentage of the pupil's school day during
31 which the pupil attends the virtual class.

32 b. Fifty percent of the funding the school district
33 providing the virtual class receives as a result of
34 this subsection shall be reserved as additional pay for
35 the virtual classroom instructor. If an instructor's
36 contract provides additional pay for teaching a virtual
37 class, the instructor shall receive the greater amount
38 of either the amount provided for in this paragraph or
39 the amount provided for in the instructor's contract.

40 c. A school district receiving a virtual class for
41 a pupil from a community college, which class meets
42 the sharing agreement requirements in subsection 3,
43 shall receive a supplemental funding weighting of
44 one-twentieth of the percentage of the pupil's school
45 day during which the pupil attends the virtual class.

46 d. For the purposes of this subsection, "virtual
47 class" means ~~either~~ any of the following:

48 (1) A class provided by a school district to
49 a pupil in another school district via the Iowa
50 communications network's video services.

1 (2) A class provided by a community college to a
2 pupil in a school district via the Iowa communications
3 network's video services.

4 (3) An advanced placement course provided to a
5 pupil in a school district under an agreement with
6 the Iowa online advanced placement academy science,
7 technology, engineering, and mathematics initiative
8 under section 263.8A, subsection 2.

9 (4) A course provided by the Iowa learning online
10 initiative of the department of education to a pupil
11 in a school district under an agreement with the
12 department.

13 Sec. 29. Section 261E.8, Code Supplement 2011, is
14 amended by adding the following new subsection:

15 NEW SUBSECTION. 6A. A student enrolled in a
16 career and technical course made available pursuant
17 to subsection 1 is exempt from the proficiency
18 requirements of section 261E.3, subsection 1,
19 paragraph "e". However, a community college may
20 require a student who applies for enrollment under a
21 district-to-community college sharing or concurrent
22 enrollment program to complete an initial assessment
23 administered by the community college receiving the
24 application to determine the applicant's readiness to
25 enroll in career and technical coursework, and the
26 community college may deny the enrollment.

27 DIVISION VI

28 SCHOOL INSTRUCTIONAL TIME

29 Sec. 30. SCHOOL INSTRUCTIONAL TIME TASK FORCE.

30 1. The director of the department of education
31 shall appoint a school instructional time task force
32 comprised of at least seven members to conduct a study
33 regarding the minimum requirements of the school day
34 and the school year. The study shall include but not
35 be limited to an examination of the following:

36 a. Whether the minimum length of an instructional
37 day should be extended and, if so, whether the
38 instructional day should be extended for all students
39 or for specific groups of students.

40 b. Whether the minimum number of instructional days
41 or hours in a school year should be increased and, if
42 so, whether the minimum number of days or hours in a
43 school year should be increased for all students or for
44 specific groups of students.

45 c. Whether the minimum number of instructional days
46 or hours should be rearranged to result in a shorter
47 summer break, with other days or weeks off throughout
48 the school year.

49 d. Whether the minimum school year should be
50 defined by a number of days or by a number of

1 instructional hours.

2 e. Whether there should be a uniform, statewide
3 start date for the school year that can only be
4 waived for the purpose of implementing an innovative
5 educational program.

6 f. Whether resources necessary to extend the
7 minimum length of an instructional day or the minimum
8 length of a school year are justified when compared to
9 competing education priorities.

10 2. The appointment of members to the task force
11 shall be made in a manner which provides geographical
12 area representation and complies with sections 69.16,
13 69.16A, and 69.16C.

14 3. The task force shall submit its findings and
15 recommendations in a report to the state board of
16 education, the governor, and the general assembly by
17 October 15, 2012.

18 DIVISION VII

19 ASSESSMENTS

20 Sec. 31. Section 256.7, subsection 21, paragraph c,
21 Code Supplement 2011, is amended to read as follows:

22 c. ~~A requirement that all school districts and~~
23 ~~accredited nonpublic schools annually report to the~~
24 ~~department and the local community the district wide~~
25 ~~progress made in attaining student achievement goals~~
26 ~~on the academic and other core indicators and the~~
27 ~~district wide progress made in attaining locally~~
28 ~~established student learning goals. The Use by school~~
29 ~~districts and accredited nonpublic schools shall~~
30 ~~demonstrate the use of multiple statewide assessment~~
31 ~~measures identified and approved by the state board in~~
32 ~~determining student achievement levels. The school~~
33 ~~districts and accredited nonpublic schools shall also~~
34 ~~report the number of students who graduate; the number~~
35 ~~of students who drop out of school; the number of~~
36 ~~students who are tested and the percentage of students~~
37 ~~who are so tested annually; and the percentage of~~
38 ~~students who graduated during the prior school year~~
39 ~~and who completed a core curriculum. The board shall~~
40 ~~develop and adopt uniform definitions consistent with~~
41 ~~the federal No Child Left Behind Act of 2001, Pub.~~
42 ~~L. No. 107-110 and any federal regulations adopted~~
43 ~~pursuant to the federal Act. The school districts~~
44 ~~and accredited nonpublic schools may report on other~~
45 ~~locally determined factors influencing student~~
46 ~~achievement. The school districts and accredited~~
47 ~~nonpublic schools shall also report to the local~~
48 ~~community their results by individual attendance~~
49 ~~center.~~

50 Sec. 32. Section 256.7, subsection 21, Code

1 Supplement 2011, is amended by adding the following new
2 paragraph:

3 NEW PARAGRAPH. d. By July 1, 2014, establishment
4 by the department of an accountability system designed
5 to hold school districts and accredited nonpublic
6 schools accountable for student achievement. The
7 accountability system shall, at a minimum, define
8 and measure student achievement, student growth,
9 student achievement gaps, college and career readiness,
10 student well-being, parent satisfaction, school staff
11 working conditions, school fiscal responsibility, and
12 graduation and attendance rates. The director may at
13 the director's discretion, or shall as directed by
14 the state board, convene a working group to develop
15 recommendations for any of the following:

16 (1) The accountability system established pursuant
17 to this paragraph.

18 (2) Redesigning the accreditation procedures
19 implemented under section 256.11.

20 (3) A compliance monitoring process aligned with
21 the accountability system.

22 (4) Targeting support for school districts
23 identified as needing assistance under the
24 accountability system.

25 (5) Identifying, studying, and commending
26 high-performing districts.

27 (6) Developing strategies to take over the
28 operation of school districts determined pursuant to
29 section 256.11, or under the accountability system,
30 as persistently failing to meet educational system or
31 student achievement standards.

32 Sec. 33. Section 256.7, subsection 26, paragraph
33 a, subparagraph (1), Code Supplement 2011, is amended
34 to read as follows:

35 (1) The rules establishing high school graduation
36 requirements shall authorize a school district
37 or accredited nonpublic school to consider that
38 any student who satisfactorily completes a high
39 school-level unit of English or language arts,
40 mathematics, science, or social studies has
41 satisfactorily completed a unit of the high school
42 graduation requirements for that area as specified
43 in this lettered paragraph, and shall authorize the
44 school district or accredited nonpublic school to
45 issue high school credit for the unit to the student.
46 The rules shall also require administration of the
47 college entrance and career readiness examinations in
48 accordance with section 280.18.

49 Sec. 34. Section 256.7, subsection 26, Code
50 Supplement 2011, is amended by adding the following new

1 paragraph:

2 NEW PARAGRAPH. d. Adopt by rule by July 1, 2014,
3 a policy for the incorporation by school districts of
4 end-of-course assessments into the district's high
5 school graduation requirements.

6 Sec. 35. Section 256.7, subsection 28, Code
7 Supplement 2011, is amended to read as follows:

8 28. Adopt a set of core content standards
9 applicable to all students in kindergarten through
10 grade twelve in every school district and accredited
11 nonpublic school. ~~For purposes of this subsection,~~
12 ~~"core content standards" includes reading, mathematics,~~
13 ~~and science.~~ The core content standards shall be
14 ~~identical to the core content standards included~~
15 include those established in Iowa's approved 2006
16 standards and assessment system under Tit. I of the
17 federal Elementary and Secondary Education Act of
18 1965, 20 U.S.C. § 6301 et seq., as amended by the
19 federal No Child Left Behind Act of 2001, Pub. L. No.
20 107-110. ~~School districts and accredited nonpublic~~
21 ~~schools shall include, at a minimum, the core content~~
22 ~~standards adopted pursuant to this subsection in any~~
23 ~~set of locally developed content standards. School~~
24 ~~districts and accredited nonpublic schools are~~
25 ~~strongly encouraged to set higher expectations in local~~
26 ~~standards.~~ As changes in federal law or regulation
27 occur, the state board is authorized to amend the core
28 content standards as appropriate.

29 Sec. 36. Section 256.9, Code Supplement 2011, is
30 amended by adding the following new subsection:

31 NEW SUBSECTION. 68. Develop, by July 1, 2014, high
32 school end-of-course assessments for subject areas
33 included under the core content standards.

34 Sec. 37. NEW SECTION. 256.24 Value-added
35 assessment system.

36 1. For purposes of this section, unless the context
37 otherwise requires, "value-added assessment" means
38 a method to measure gains in student achievement by
39 conducting a statistical analysis of achievement data
40 that reveals academic growth over time for students and
41 groups of students, such as those in a grade level or
42 in a school.

43 2. A value-added assessment system shall be
44 established and implemented by the department not later
45 than January 31, 2013, to provide for multivariate
46 longitudinal analysis of annual student test scores
47 to determine the influence of a school district's
48 educational program on student academic growth and
49 to guide school district improvement efforts. The
50 department shall select a value-added assessment system

1 provider through a request for proposals process. The
2 system provider selected by the department shall offer
3 a value-added assessment system to calculate annually
4 the academic growth of students, as determined by the
5 director, and tested in accordance with this section.
6 The system provider shall, at a minimum, meet all of
7 the following criteria:

8 a. Use a mixed-model statistical analysis that has
9 the ability to use all achievement test data for each
10 student, including the data for students with missing
11 test scores, that does not adjust downward expectations
12 for student progress based on race, poverty, or
13 gender, and that will provide the best linear unbiased
14 predictions of school or other educational entity
15 effects to minimize the impact of random errors.

16 b. Have the ability to work with test data from
17 a variety of sources, including data that are not
18 vertically scaled, and to provide support for school
19 districts utilizing the system.

20 c. Have the capacity to receive and report results
21 electronically and provide support for districts
22 utilizing the system.

23 3. The system provider shall create a mechanism
24 to collect and evaluate data in a manner that
25 reliably aligns the performance of the teacher
26 with the achievement levels of and progress of the
27 teacher's students. School districts shall report
28 teacher-to-student alignment data to the system
29 provider as directed by the department.

30 4. The system provider shall provide analysis to
31 school districts and to the department of education.
32 The analysis shall include but not be limited to
33 attendance-center-level test results for an assessment
34 aligned with the core content standards in the areas of
35 reading and mathematics and other core academic areas
36 when possible. The analysis shall also include but
37 not be limited to the number of students tested, the
38 number of test results used to compute the averages,
39 the average standard score, and the corresponding
40 grade equivalent-score, as well as measures of student
41 progress. The system provider shall create a chart for
42 each school district.

43 5. A school district shall have complete access to
44 and full utilization of its own value-added assessment
45 reports and charts generated by the system provider at
46 the student level for the purpose of measuring student
47 achievement at different educational entity levels.

48 6. Where student outcomes measures are available,
49 for tested subjects and grades, student outcomes
50 measures shall be considered by the district to

1 validate a teacher's observational evaluation. Student
2 outcomes measures which are a component of a teacher's
3 evaluation are not public records for the purposes of
4 chapter 22.

5 7. Information about student academic growth shall
6 be used by the school district, including school board
7 members, administration, and staff, for defining
8 student and district learning goals and professional
9 development related to student learning goals across
10 the school district. A school district shall submit
11 its academic growth measures in the annual report
12 submitted pursuant to section 256.7, subsection 21,
13 and may reference in the report state level norms for
14 purposes of demonstrating school district performance.

15 8. The department shall use student academic
16 growth data to determine school improvement and
17 technical assistance needs of school districts, and to
18 identify school districts achieving exceptional gains.
19 Beginning January 15, 2013, and by January 15 of each
20 succeeding year, the department shall submit an annual
21 progress report regarding the use of student academic
22 growth information in the school improvement processes
23 to the general assembly and shall publish the progress
24 report on its internet site.

25 9. A school district shall use the value-added
26 assessment system established by the department
27 pursuant to subsection 1 not later than the school year
28 beginning July 1, 2013.

29 Sec. 38. Section 279.60, Code 2011, is amended to
30 read as follows:

31 279.60 ~~Kindergarten assessment~~ Assessments – access
32 to data – reports.

33 1. a. Each school district shall administer
34 a kindergarten readiness assessment prescribed
35 by the department of education to every resident
36 prekindergarten or four-year-old child whose parent or
37 guardian enrolls the child in the district.

38 b. Each school district shall administer the
39 dynamic indicators of basic early literacy skills
40 kindergarten benchmark assessment or other kindergarten
41 benchmark assessment adopted by the department of
42 education in consultation with the early childhood Iowa
43 state board to every kindergarten student enrolled
44 in the district not later than the date specified in
45 section 257.6, subsection 1. The school district
46 shall also collect information from each parent,
47 guardian, or legal custodian of a kindergarten student
48 enrolled in the district, including but not limited
49 to whether the student attended preschool, factors
50 identified by the early childhood Iowa office pursuant

1 to section 256I.5, and other demographic factors.
2 Each school district shall report the results of the
3 assessment and the preschool information collected to
4 the department of education in the manner prescribed
5 by the department not later than January 1 of that
6 school year. The early childhood Iowa office in the
7 department of management shall have access to the raw
8 data. The department shall review the information
9 submitted pursuant to this section and shall submit its
10 findings and recommendations annually in a report to
11 the governor, the general assembly, the early childhood
12 Iowa state board, and the early childhood Iowa area
13 boards.

14 2. a. Each school district shall administer the
15 Iowa assessments, created by the state university of
16 Iowa, to all students enrolled in grade ten in the
17 school years beginning July 1, 2012, and July 1, 2013.

18 b. This subsection is repealed July 1, 2014.

19 3. By July 1, 2014, each school district shall
20 administer end-of-course assessments developed pursuant
21 to section 256.9, subsection 68, as an integral
22 component of each course of study under the core
23 content standards.

24 Sec. 39. NEW SECTION. 280.18 Assessment
25 requirements.

26 1. The board of directors of a school district and
27 the authorities in charge of a nonpublic school shall
28 offer to each student enrolled in grade eleven a choice
29 of taking either a college entrance examination or an
30 assessment to assess reading for information, locating
31 information, and applied mathematics.

32 2. a. The cost of the examinations and assessments
33 administered pursuant to subsection 1 shall be paid by
34 the department.

35 b. The costs of a college entrance examination
36 taken by a student in addition to those specified
37 in subsection 1 shall be the responsibility of the
38 student.

39 3. If funds are available to the department for
40 such purpose, the department shall make a preparation
41 program for the college entrance examination available
42 to all students in grade eleven. The department may
43 contract for the necessary assessment services.

44 4. a. The school district or school shall counsel
45 a student whose scores on the college entrance
46 examination administered in grade eleven indicate
47 a high degree of readiness for college to enroll in
48 accelerated courses, with an emphasis on advanced
49 placement and other college-level classes.

50 b. The school district or school shall provide

1 intervention strategies for accelerated learning in the
2 following circumstances:

3 (1) To a student whose scores on the career
4 readiness assessments indicate that additional
5 assistance is required in reading for information,
6 locating information, or applied mathematics.

7 (2) To a student whose scores on the college
8 entrance examination administered in grade eleven
9 indicate that additional assistance is required in
10 English, reading, mathematics, and science.

11 5. Accommodations provided by the college entrance
12 examination provider to a student with a disability
13 taking the college entrance examination under
14 subsection 1 shall be provided in the following manner:

15 a. In the manner allowed by the college entrance
16 examination provider, when results in test scores
17 are reportable to a postsecondary institution for
18 admissions and placement purposes, except as provided
19 in paragraph "b".

20 b. In a manner allowed by an individualized
21 education program developed for the student if the
22 student is a student requiring special education under
23 chapter 256B and the student's disability precludes
24 valid assessment of academic ability using the
25 accommodations provided under paragraph "a" when the
26 student's scores are not reportable to a postsecondary
27 institution for admissions and placement purposes.

28 6. A student's scores on the examinations
29 administered under subsection 1 shall be recorded by
30 the school district or school in the student's official
31 education record.

32 DIVISION VIII

33 NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS

34 AWARDS

35 Sec. 40. Section 256.44, subsection 1, paragraph a,
36 Code 2011, is amended to read as follows:

37 a. If a teacher registers for national board
38 for professional teaching standards certification
39 ~~by~~ after December 31, 2007, a one-time initial
40 reimbursement award in the amount of up to one-half
41 of the registration fee paid by the teacher for
42 registration for certification by the national board
43 for professional teaching standards. The teacher shall
44 apply to the department ~~within one year of registration~~
45 in a manner and according to procedures required
46 by the department, submitting to the department any
47 documentation the department requires. A teacher who
48 receives an initial reimbursement award shall receive
49 a one-time final registration award in the amount of
50 the remaining national board registration fee paid by

1 the teacher if the teacher notifies the department of
2 the teacher's certification achievement and submits any
3 documentation requested by the department.

4 Sec. 41. Section 256.44, subsection 1, paragraph b,
5 subparagraph (1), subparagraph division (b), Code 2011,
6 is amended to read as follows:

7 (b) If the teacher registers for national board for
8 professional teaching standards certification ~~between~~
9 ~~January 1, 1999, and December 31, 2007,~~ and achieves
10 certification within the timelines and policies
11 established by the national board for professional
12 teaching standards, an annual award in the amount
13 of two thousand five hundred dollars upon achieving
14 certification by the national board of professional
15 teaching standards.

16 DIVISION IX

17 EDUCATOR EMPLOYMENT AND PROFESSIONAL DEVELOPMENT
18 MATTERS

19 Sec. 42. Section 256.7, Code Supplement 2011, is
20 amended by adding the following new subsection:

21 NEW SUBSECTION. 32. Adopt rules providing for the
22 establishment of a statewide plan for professional
23 development for practitioners employed in Iowa's school
24 districts. The statewide plan shall be designed to
25 make every reasonable effort to utilize best practices,
26 current technologies, and social media, and shall be
27 implemented by the area education agencies pursuant to
28 section 273.2.

29 Sec. 43. Section 256.9, Code Supplement 2011, is
30 amended by adding the following new subsection:

31 NEW SUBSECTION. 69. Approve, amend and approve,
32 or reject each professional development plan submitted
33 pursuant to section 273.2, in accordance with the
34 rules adopted pursuant to section 256.7, subsection
35 32, providing for the establishment of a statewide
36 professional development plan for practitioners,
37 the services of which a school district may request
38 pursuant to section 273.2.

39 Sec. 44. Section 257.10, subsection 10, paragraph
40 d, Code 2011, is amended to read as follows:

41 d. The use of the funds calculated under this
42 subsection shall comply with the requirements of
43 section 256.7, subsection 32, and chapter 284.

44 Sec. 45. Section 257.37A, subsection 2, paragraph
45 d, Code 2011, is amended to read as follows:

46 d. The use of the funds calculated under this
47 subsection shall comply with requirements of section
48 256.7, subsection 32, and chapter 284.

49 Sec. 46. Section 273.2, Code Supplement 2011, is
50 amended by adding the following new subsection:

1 NEW SUBSECTION. 10. The area education agency
2 boards shall each annually submit to the department
3 of education a plan for a professional development
4 program, to be implemented in the following fiscal
5 year, which combines the professional development
6 priorities of the state board of education, in
7 accordance with section 256.7, subsection 32, with
8 the professional development needs of the schools
9 and school districts in the area. The area education
10 agency board shall provide professional development
11 services under the approved program to local school
12 districts in the area upon request.

13 Sec. 47. Section 284.6, subsection 1, unnumbered
14 paragraph 1, Code Supplement 2011, is amended to read
15 as follows:

16 The department shall ~~coordinate a~~ implement the
17 statewide ~~network of~~ plan for professional development
18 for ~~Iowa teachers~~ practitioners established pursuant to
19 section 256.7, subsection 32. ~~A~~ In addition, a school
20 district or professional development provider that
21 offers a career and professional development program
22 programs in accordance with section 256.9, ~~subsection~~
23 subsections 46, and 69 shall demonstrate that the
24 ~~program contains~~ programs contain the following:

25 Sec. 48. Section 284.6, Code Supplement 2011, is
26 amended by adding the following new subsection:

27 NEW SUBSECTION. 5A. The director may waive
28 the requirements relating to the development and
29 review of an individual teacher professional
30 development plan for a school district that utilizes
31 a peer review teacher evaluation system in which
32 consulting teachers, in conjunction with school
33 administrators, make formal evaluations of the school
34 district's teachers, including but not limited to each
35 teacher's professional growth and employment status.
36 Notwithstanding section 284.8, subsection 1, if the
37 school district is granted a waiver pursuant to this
38 subsection, the review conducted pursuant to section
39 284.8, subsection 1, shall include a teacher's review
40 conducted utilizing the peer review teacher evaluation
41 system.

42 DIVISION X

43 THIRD GRADE LITERACY

44 Sec. 49. Section 256.7, Code Supplement 2011, is
45 amended by adding the following new subsection:

46 NEW SUBSECTION. 31. By July 1, 2013, adopt by
47 rule guidelines for school district implementation of
48 section 279.68, including but not limited to basic
49 levels of reading proficiency on approved assessments
50 and identification of tools that school districts may

1 use in evaluating and reevaluating any student who may
2 be or who is determined to be deficient in reading,
3 including but not limited to initial assessments and
4 subsequent assessments, alternative assessments,
5 and portfolio reviews. The state board shall adopt
6 standards that provide a reasonable expectation that
7 a student's progress toward reading proficiency under
8 section 279.68 is sufficient to master appropriate
9 grade four level reading skills prior to the student's
10 promotion to grade four.

11 Sec. 50. Section 256.9, subsection 53, paragraph a,
12 Code Supplement 2011, is amended to read as follows:

13 a. Develop and distribute, or approve, in
14 collaboration with the area education agencies, core
15 curriculum technical assistance and implementation
16 strategies that school districts and accredited
17 nonpublic schools shall utilize, including but not
18 limited to the development and delivery of formative
19 and end-of-course model assessments classroom
20 teachers may use to measure student progress on the
21 core curriculum adopted pursuant to section 256.7,
22 subsection 26. The department shall, in collaboration
23 with the advisory group convened in accordance with
24 paragraph "b" and educational assessment providers,
25 identify and make available to school districts
26 end-of-course and additional model end-of-course and
27 additional assessments to align with the expectations
28 included in the Iowa core curriculum. The model
29 assessments shall be suitable to meet the multiple
30 assessment measures requirement specified in section
31 256.7, subsection 21, paragraph "c".

32 Sec. 51. Section 256.9, subsection 53, Code
33 Supplement 2011, is amended by adding the following new
34 paragraphs:

35 NEW PARAGRAPH. c. Identify the scoring levels
36 on approved grade three reading assessments that
37 require the retention of a student pursuant to
38 section 279.68, and develop or identify and approve
39 alternative performance measures for students who are
40 not proficient in reading in accordance with section
41 279.68, subsection 2. Alternative performance measures
42 approved pursuant to this paragraph shall include but
43 not be limited to a demonstration of reading mastery
44 evidenced by portfolios of student work.

45 NEW PARAGRAPH. d. Establish, subject to an
46 appropriation of sufficient funds by the general
47 assembly, an Iowa reading research center to apply
48 current research on literacy to provide for the
49 development and dissemination of all of the following:
50 (1) Promising instructional strategies in reading.

1 (2) Reading assessments.

2 (3) Professional development strategies and
3 materials aligned with current and emerging best
4 practices for the teaching of reading.

5 Sec. 52. Section 256D.2A, Code 2011, is amended to
6 read as follows:

7 256D.2A Program funding.

8 For the budget year beginning July 1, 2009, and
9 each succeeding budget year, a school district shall
10 expend funds received pursuant to section 257.10,
11 subsection 11, at the kindergarten through grade
12 three levels to reduce class sizes to the state goal
13 of seventeen students for every one teacher and to
14 achieve a higher level of student success in the
15 basic skills, especially reading; and to establish
16 a reading enhancement and acceleration development
17 initiative pursuant to section 279.68, subsection 3,
18 paragraph "f". In order to support these efforts,
19 school districts shall expend funds received pursuant
20 to section 257.10, subsection 11, as provided in
21 section 279.68, subsection 3, paragraph "f", and may
22 expend funds received pursuant to section 257.10,
23 subsection 11, at the kindergarten through grade
24 three level on programs, instructional support, and
25 materials that include but are not limited to the
26 following: additional licensed instructional staff;
27 additional support for students, such as before and
28 after school programs, tutoring, and intensive summer
29 programs; the acquisition and administration of
30 diagnostic reading assessments; the implementation of
31 research-based instructional intervention programs for
32 students needing additional support; the implementation
33 of all-day, everyday kindergarten programs; and
34 the provision of classroom teachers with intensive
35 training programs to improve reading instruction and
36 professional development in best practices including
37 but not limited to training programs related to
38 instruction to increase students' phonemic awareness,
39 reading abilities, and comprehension skills.

40 Sec. 53. NEW SECTION. 279.68 Student progression
41 and retention – remedial instruction – reporting
42 requirements.

43 1. Reading deficiency and parental notification.

44 a. A school district shall immediately provide
45 intensive reading instruction to any student who
46 exhibits a substantial deficiency in reading based
47 upon teacher observations or upon assessments
48 approved pursuant to section 256.7, subsection 31, and
49 administered in kindergarten or grade one, grade two,
50 or grade three. The student's reading proficiency

1 shall be reassessed by assessments approved pursuant
2 to section 256.7, subsection 31. The student shall
3 continue to be provided with intensive reading
4 instruction until the reading deficiency is remedied.

5 b. The parent or guardian of any student in
6 kindergarten through grade three who exhibits a
7 substantial deficiency in reading, as described in
8 paragraph "a", shall be notified at least annually in
9 writing of the following:

10 (1) That the child has been identified as having a
11 substantial deficiency in reading.

12 (2) A description of the services currently
13 provided to the child.

14 (3) A description of the proposed supplemental
15 instructional services and supports that the school
16 district will provide to the child that are designed to
17 remediate the identified area of reading deficiency.

18 (4) That if the child's reading deficiency is not
19 remediated by the end of grade three, the child shall
20 be retained unless the child is exempt from mandatory
21 retention for good cause pursuant to subsection 2,
22 paragraph "b". If the child is ineligible for a good
23 cause exemption, the notification shall state why the
24 child is ineligible.

25 (5) Strategies for parents and guardians to use
26 in helping the child succeed in reading proficiency,
27 including but not limited to the promotion of
28 parent-guided home reading.

29 (6) That the assessment used pursuant to section
30 256.9, subsection 53, is not the sole determiner of
31 promotion and that additional evaluations, portfolio
32 reviews, performance measures, and assessments are
33 available to the child to assist parents and the school
34 district in knowing when a child is reading at or above
35 grade level and ready for grade promotion.

36 (7) The district's specific criteria and policies
37 for midyear promotion. For purposes of this section,
38 "midyear promotion" means promotion to the next grade
39 level of a retained student at any time during the year
40 of retention once the student has demonstrated the
41 ability to read at grade level.

42 c. If the student's reading deficiency, as
43 identified in paragraph "a", is not remedied by the
44 end of grade three, as demonstrated by scoring on an
45 assessment approved by the department pursuant to
46 section 256.9, subsection 53, the student shall be
47 retained in grade three.

48 2. Good cause exemption.

49 a. The school district shall only exempt students
50 from mandatory retention, as provided in subsection 1,

1 paragraph "c", for good cause. Good cause exemptions
2 shall be limited to the following:

3 (1) Limited English proficient students who have
4 had less than two years of instruction in an English as
5 a second language program.

6 (2) Students requiring special education whose
7 individualized education program indicates that
8 participation in the assessment approved pursuant to
9 section 256.9, subsection 53, is not appropriate,
10 consistent with the requirements of rules adopted by
11 the state board of education for the administration of
12 chapter 256B.

13 (3) Students who demonstrate an acceptable level
14 of performance on an alternative performance measure
15 approved by the director of the department of education
16 pursuant to section 256.9, subsection 53.

17 (4) Students who demonstrate mastery through
18 a student portfolio under alternative performance
19 measures approved pursuant to section 256.9, subsection
20 53.

21 (5) Students who have received intensive
22 remediation in reading for two or more years but
23 still demonstrate a deficiency in reading and who were
24 previously retained in kindergarten, grade one, grade
25 two, or grade three. Intensive reading instruction
26 for students so promoted must include an altered
27 instructional day that includes specialized diagnostic
28 information and specific reading strategies for each
29 student. The school district shall assist attendance
30 centers and teachers to implement reading strategies
31 that research has shown to be successful in improving
32 reading among low-performing readers.

33 b. Requests for good cause exemptions from the
34 mandatory retention requirement for students as
35 described in paragraph "a", subparagraphs (3) and (4),
36 shall be made consistent with the following:

37 (1) Documentation shall be submitted from the
38 student's teacher to the school principal that
39 indicates that the promotion of the student is
40 appropriate and is based upon the student's academic
41 record. Such documentation shall include but not be
42 limited to the individualized education program, if
43 applicable, report card, or student portfolio.

44 (2) The school principal shall review and discuss
45 the recommendation submitted pursuant to subparagraph
46 (1) with the teacher and the school principal shall
47 determine whether the student should be promoted
48 or retained. If the principal determines that the
49 student should be retained, the principal shall notify
50 the student's teacher and parent or guardian of the

1 decision in writing and the student shall be ineligible
2 for the good cause exemption from mandatory retention.

3 (3) If the school principal determines that the
4 student should be promoted, the school principal
5 shall make such recommendation in writing to the
6 district school superintendent. The district school
7 superintendent shall accept or reject the school
8 principal's recommendation and shall notify the school
9 principal and the student's teacher and parent or
10 guardian of the school superintendent's decision in
11 writing. If the school superintendent determines
12 that the student should be retained, the student
13 shall be ineligible for the good cause exemption from
14 mandatory retention. The parent or guardian of the
15 student may appeal the superintendent's decision to
16 the board of directors of the school district. If the
17 superintendent's decision is affirmed by the school
18 board, the decision is final and is not subject to
19 appeal under section 290.1.

20 c. This section does not preclude the parent or
21 guardian of a student with a reading deficiency from
22 requesting that the student be retained at grade level.

23 3. Successful progression for retained readers. A
24 school district shall do all of the following:

25 a. Conduct a review, within one week following
26 the last instructional day of the school calendar,
27 of student progress for any student retained under
28 subsection 1, paragraph "c", who did not meet the
29 criteria for one of the good cause exemptions in
30 subsection 2, paragraph "a". The review shall address
31 additional supports and services, as described in
32 subparagraph (2), needed to remediate the identified
33 areas of reading deficiency. The school district shall
34 require a student portfolio to be completed for each
35 such student.

36 b. Provide students who are retained under
37 subsection 1, paragraph "c", with intensive
38 instructional services and supports, free of charge, to
39 remediate the identified areas of reading deficiency,
40 including a minimum of a daily ninety-minute block of
41 scientific-research-based reading instruction and other
42 strategies prescribed by the school district which may
43 include but are not limited to the following:

- 44 (1) Small group instruction.
- 45 (2) Reduced teacher-student ratios.
- 46 (3) More frequent progress monitoring.
- 47 (4) Tutoring or mentoring.
- 48 (5) Transition classes containing students in
- 49 grades three and four.
- 50 (6) Extended school day, week, or year.

1 (7) Summer reading programs.

2 c. At regular intervals, apprise the parent or
3 guardian of academic and other progress being made
4 by the student and give the parent or guardian other
5 useful information.

6 d. Implement a policy for the midyear promotion of
7 any student retained under subsection 1, paragraph "c",
8 who can demonstrate that the student is a successful
9 and independent reader, reading at or above grade
10 level, and ready to be promoted to grade four. Tools
11 that school districts may use in reevaluating any
12 student retained may include subsequent assessments,
13 alternative assessments, and portfolio reviews,
14 identified by rule pursuant to section 256.7,
15 subsection 31. Students promoted during the school
16 year after November 1 shall demonstrate proficiency
17 pursuant to guidelines adopted by rule pursuant to
18 section 256.7, subsection 31.

19 e. In addition to required reading enhancement and
20 acceleration strategies, provide parents of students
21 who are retained under subsection 1, paragraph "c",
22 with a plan outlined in a parental contract, including
23 participation in regular parent-guided home reading.

24 f. Establish, using funds received pursuant to
25 section 257.10, subsection 11, a reading enhancement
26 and acceleration development initiative designed to
27 prevent the retention of grade three students and
28 to offer intensive accelerated reading instruction
29 to grade three students who fail to meet standards
30 for promotion to grade four and to each kindergarten
31 through grade three student who is assessed as
32 exhibiting a reading deficiency. The initiative shall
33 comply with all of the following criteria:

34 (1) Be provided to all kindergarten through
35 grade three students at risk of retention under this
36 section. The assessment initiative shall measure
37 phonemic awareness, phonics, fluency, vocabulary, and
38 comprehension.

39 (2) Be provided during regular school hours in
40 addition to the regular reading instruction.

41 (3) Provide a reading curriculum that meets
42 guidelines adopted pursuant to section 256.7,
43 subsection 31, and at a minimum has the following
44 specifications:

45 (a) Assists students assessed as exhibiting a
46 reading deficiency in developing the ability to read
47 at grade level.

48 (b) Provides skill development in phonemic
49 awareness, phonics, fluency, vocabulary, and
50 comprehension.

1 (c) Includes a scientifically based and reliable
2 assessment.

3 (d) Provides initial and ongoing analysis of each
4 student's reading progress.

5 (e) Is implemented during regular school hours.

6 (f) Provides a curriculum in core academic subjects
7 to assist the student in maintaining or meeting
8 proficiency levels for the appropriate grade in all
9 academic subjects.

10 g. Report to the department of education the
11 specific intensive reading interventions and supports
12 implemented by the school district pursuant to this
13 section. The department shall annually prescribe the
14 components of required or requested reports, including
15 but not limited to a report on the number of students
16 retained under this section.

17 h. Provide a student who has been retained in grade
18 three and who has received intensive instructional
19 services but is still not ready for grade promotion,
20 as determined by the school district, the option of
21 being placed in a transitional instructional setting.
22 Such setting shall specifically be designed to
23 produce learning gains sufficient to meet grade four
24 performance standards while continuing to remediate the
25 areas of reading deficiency.

26 4. Notwithstanding subsection 1, paragraph "b",
27 subparagraph (4), or any other provision of law to
28 the contrary, a school district shall not be required
29 to retain a student in grade three who exhibits a
30 substantial deficiency in reading in accordance with
31 this section until the school year beginning July 1,
32 2016. This subsection is repealed July 1, 2016.

33 DIVISION XI

34 HOME RULE AUTHORITY

35 Sec. 54. NEW SECTION. 274.3 Exercise of powers -
36 construction.

37 1. The board of directors of a school district
38 shall operate, control, and supervise all public
39 schools located within its district boundaries and may
40 exercise any broad and implied power related to the
41 operation, control, and supervision of those public
42 schools except as expressly prohibited or prescribed by
43 the Constitution of the State of Iowa or by statute.

44 2. Notwithstanding subsection 1, the board of
45 directors of a school district shall not have power to
46 levy any tax unless expressly authorized by the general
47 assembly.

48 3. This section shall not apply to a research and
49 development school as defined in section 256G.2 or to
50 a laboratory school as defined in section 265.1. The

1 board of directors of a school district in which such a
2 research and development school or laboratory school
3 is located shall not exercise over such a school any
4 powers granted to the board by subsection 1.

5 4. This chapter, chapter 257 and chapters 275
6 through 301, and other statutes relating to the
7 boards of directors of school districts and to school
8 districts shall be liberally construed to effectuate
9 the purposes of subsection 1.

10 DIVISION XII

11 ONLINE LEARNING INTERIM STUDY

12 Sec. 55. ONLINE LEARNING – INTERIM STUDY. The
13 legislative council is requested to establish an
14 interim study committee relating to online learning
15 and programming for school districts and related
16 educational issues. The objective of the study shall
17 be to review the appropriate use of online learning by
18 school districts, the appropriate levels and sources
19 of funding for online learning, partnerships between
20 school districts and private providers of online
21 programs, and the potential use of online learning as
22 the exclusive means to provide coursework required
23 under the state's educational standards. The study
24 shall identify opportunities between interested
25 agencies and entities involved in or potentially
26 involved in online learning activities, including
27 but not limited to K-12 schools, area education
28 agencies, institutions of higher learning, the
29 public broadcasting division of the department of
30 education, the department of education, and the Iowa
31 communications network. The committee is directed to
32 submit its findings and recommendations in a report to
33 the general assembly by December 14, 2012.

34 DIVISION XIII

35 ADVANCED PLACEMENT PERFORMANCE FUNDING

36 Sec. 56. NEW SECTION. 257.16B Advanced placement
37 performance funding.

38 1. For budget years beginning on or after July
39 1, 2014, the department of management shall allocate
40 from amounts appropriated by the general assembly to
41 the department and from other moneys available to and
42 obtained or accepted by the department for providing
43 advanced placement performance funding for school
44 districts as provided in this section.

45 2. a. Each school district shall receive an amount
46 equal to the school district's total number of advanced
47 placement students divided by the total number of
48 advanced placement students in the state, and then
49 multiplied by the amount of moneys available to provide
50 advanced placement performance funding for the budget

1 year under subsection 1. The department of education
2 shall certify to the department of management the total
3 number of advanced placement students enrolled in each
4 school district.

5 b. The department of management shall on or before
6 July 1 of the budget year notify each school district
7 of the amount of advanced placement performance funding
8 under this section.

9 c. Payments made to school districts under this
10 section are miscellaneous income and may be used for
11 any school district general fund purpose.

12 3. For purposes of this section, "advanced placement
13 student" means a student who was enrolled in the
14 school district during the school year preceding the
15 base year, who was enrolled in one or more advanced
16 placement courses during such school year as provided
17 under section 261E.4, and who also achieved a score
18 on the advanced placement examination for at least
19 one such course of three or higher on the advanced
20 placement five-point scale.

21 4. The state board of education shall adopt rules
22 under chapter 17A necessary to implement this section,
23 including rules that prescribe all necessary reporting
24 requirements for school districts.

25 DIVISION XIV

26 PROFESSIONAL SERVICE AND GUIDANCE COUNSELORS

27 Sec. 57. Section 256.9, Code Supplement 2011, is
28 amended by adding the following new subsection:

29 NEW SUBSECTION. 65. a. Collaborate with, at
30 a minimum, the board of educational examiners; the
31 Iowa association of community college trustees; the
32 association of Iowa area education agencies; the Iowa
33 school counselor association; the economic development
34 authority; the department of workforce development;
35 the governor's science, technology, engineering, and
36 mathematics advisory council; and students recommended
37 by the Iowa jobs for America's graduates program; or
38 successor entities, to develop standards and procedures
39 for the approval of professional service and secondary
40 guidance counselor preparation and professional
41 development programs that, upon approval by the
42 department, accredited postsecondary institutions which
43 grant postgraduate degrees may offer to persons seeking
44 authorization by the board of educational examiners
45 to serve as secondary school guidance counselors or
46 to provide professional services in Iowa schools.
47 A collaboration as specified in this subsection
48 shall include representation from any stakeholder
49 organization willing to assist the department in
50 meeting the requirements of this subsection.

1 b. Community colleges, the economic development
2 authority, and the department of workforce development
3 shall consult and coordinate with employment and
4 workplace stakeholders in assisting the director in
5 developing standards and procedures for the approval of
6 programs pursuant to this subsection.

7 c. Accredited postsecondary institutions that offer
8 programs approved pursuant to this subsection shall
9 coordinate with community colleges to ensure that
10 the professional development programs approved under
11 this subsection are offered throughout the state at
12 convenient times.

13 d. The requirements for coursework and programs
14 approved pursuant to this subsection shall include but
15 not be limited to the following:

16 (1) Provision of information regarding career
17 exploration, planning, and development assistance;
18 and opportunities available to Iowa's students from
19 targeted industries as defined in section 15.411,
20 subsection 1, as well as industries requiring skilled
21 workers with educational backgrounds in science,
22 technology, engineering, or mathematics.

23 (2) Elements to encourage the involvement of
24 parents in career exploration and planning with their
25 children.

26 (3) Elements to encourage the involvement of
27 elementary counselors in career exploration and
28 planning with their students.

29 (4) One semester credit or the equivalent
30 issued by a community college or other accredited
31 postsecondary institution in Iowa for coursework
32 or professional development in career exploration,
33 career education, and career planning. If offered by
34 a community college, the coursework shall be offered
35 at the resident tuition rate set pursuant to section
36 260C.14, subsection 2, to students enrolled in approved
37 professional service and guidance counselor preparation
38 programs and to persons renewing their professional
39 service or secondary guidance counselor licenses or
40 endorsements pursuant to section 272.9B. If a community
41 college fails to offer coursework or professional
42 development in career exploration, career education,
43 and career planning by July 1, 2013, the provisions
44 of section 272.9B shall not apply to an applicant
45 described in that section who resides within the
46 boundaries of the community college and who is employed
47 by an Iowa school as a secondary guidance counselor,
48 until July 1, 2014, or until twelve months following
49 the date upon which the coursework is made available by
50 the community college, whichever is later.

1 e. The director shall establish an application and
2 review process for approval of programs developed and
3 implemented pursuant to this subsection.

4 f. For purposes of this subsection, "professional
5 service" refers to preparation and professional
6 development programs for, and licensure and endorsement
7 of, persons who are authorized under chapter 272 to
8 provide services in Iowa schools as a school counselor.

9 g. This subsection shall not be construed to
10 require that an accredited postsecondary institution
11 offering a major course of study related to the
12 relevant coursework offered in programs approved
13 pursuant to this subsection establish additional credit
14 requirements to graduate or achieve certification from
15 the institution in the related major course of study
16 from the institution. However, only coursework and
17 programs that meet the requirements established by the
18 director in accordance with this subsection shall be
19 approved by the director.

20 Sec. 58. NEW SECTION. 272.9B Professional service
21 and guidance counselor licenses.

22 Beginning July 1, 2014, except as provided in
23 section 256.9, subsection 65, paragraph "d", the board
24 shall require applicants for professional service and
25 secondary guidance counselor licenses and endorsements,
26 and for the renewal of such licenses and endorsements,
27 to have successfully completed a professional service
28 or secondary guidance counselor preparation program
29 or professional development program, as appropriate,
30 approved in accordance with section 256.9, subsection
31 65.

32 Sec. 59. Section 279.61, Code 2011, is amended by
33 adding the following new subsection:

34 NEW SUBSECTION. 3. Beginning July 1, 2015, except
35 as otherwise provided in section 256.9, subsection 65,
36 paragraph "d", career and academic guidance counseling
37 services shall be provided by the board of directors
38 of a school district to students enrolled in grades
39 nine through twelve only by persons issued professional
40 service or secondary guidance counselor licenses or
41 endorsements pursuant to section 272.9B, or who hold
42 a license issued by the board and meet the renewal
43 requirements for a license pursuant to section 272.9B.

44 DIVISION XV

45 TRAINING, PREPARATION AND LICENSURE PROVISIONS

46 Sec. 60. Section 256.7, subsection 30, Code
47 Supplement 2011, is amended to read as follows:

48 30. Set standards and procedures for the approval
49 of training programs for individuals who seek an
50 authorization issued by the board of educational

1 examiners for ~~employment~~ the following:

2 a. Employment as a school business official
3 responsible for the financial operations of a school
4 district.

5 b. Employment as a school administration manager
6 responsible for assisting a school principal in
7 performing noninstructional duties.

8 Sec. 61. Section 256.16, subsection 1, Code 2011,
9 is amended by striking the subsection and inserting in
10 lieu thereof the following:

11 1. Pursuant to section 256.7, subsection 5, the
12 state board shall adopt rules requiring all higher
13 education institutions providing approved practitioner
14 preparation programs to do the following:

15 a. (1) Administer a basic skills test, which
16 has been approved by the director, to practitioner
17 preparation program admission candidates. Candidates
18 who do not successfully pass the test with a score
19 above the twenty-fifth percentile nationally shall be
20 denied admission to the program.

21 (2) A student shall not successfully complete the
22 program unless the student achieves scores above the
23 twenty-fifth percentile nationally on an assessment
24 approved by the director in pedagogy and at least one
25 content area, or on a valid and reliable subject-area
26 specific, performance-based assessment for preservice
27 teacher candidates, centered on student learning.

28 b. Include preparation in reading programs and
29 integrate reading strategies into content area methods
30 coursework.

31 c. Include in the professional education program,
32 preparation that contributes to the education of
33 students with disabilities and students who are
34 gifted and talented, and preparation in classroom
35 management addressing high-risk behaviors including
36 but not limited to behaviors related to substance
37 abuse. Preparation required under this paragraph must
38 be successfully completed before graduation from the
39 practitioner preparation program.

40 Sec. 62. Section 272.1, Code 2011, is amended by
41 adding the following new subsection:

42 NEW SUBSECTION. 11A. "School administration
43 manager" means a person who is authorized to assist
44 a school principal in performing noninstructional
45 administrative duties.

46 Sec. 63. Section 272.2, subsection 13, Code
47 Supplement 2011, is amended to read as follows:

48 13. Adopt rules to ~~provide for nontraditional~~
49 ~~preparation options for licensing persons who hold~~
50 ~~a bachelor's degree from an accredited college or~~

1 ~~university, who do not meet other requirements for~~
2 ~~licensure~~ establish alternative licensure pathways for
3 an initial teacher license and an initial administrator
4 license and endorsement pursuant to section 272.16.
5 The rules shall prescribe standards and procedures
6 for the approval of alternative principal licensing
7 programs which may be offered in this state by
8 designated agencies located within or outside this
9 state. Procedures provided for approval of alternative
10 principal licensing programs shall include procedures
11 for enforcement of the prescribed standards.

12 Sec. 64. NEW SECTION. 272.16 Alternative licensure
13 and endorsement.

14 1. The board shall establish alternative licensure
15 pathways for an initial teacher license and an initial
16 administrator license and endorsement.

17 2. The alternative pathway for an initial teacher
18 license shall include all of the following components:

19 a. A requirement that the applicant for the
20 alternative pathway to an initial teacher license meet
21 all of the following criteria:

22 (1) Hold, at a minimum, a bachelor's degree from
23 a regionally accredited postsecondary institution and
24 twenty-four postsecondary credit hours in the content
25 area to be taught at the licensure level sought by the
26 applicant; or, in order to teach a foreign language,
27 the applicant shall hold at least a bachelor's degree
28 and be a native speaker of the language to be taught.

29 (2) Have successfully passed a background check
30 conducted in accordance with section 272.2, subsection
31 17.

32 (3) Have at least three recent consecutive years of
33 successful, relevant work experience.

34 (4) Have successfully passed a basic skills test,
35 approved by the director, for acceptance. An applicant
36 utilizing the alternative pathway to an initial teacher
37 license shall not be issued such a license unless
38 the student achieves scores above the twenty-fifth
39 percentile nationally on an examination approved by the
40 board for knowledge of pedagogies and in at least one
41 content area.

42 b. A requirement that the person issued an initial
43 teacher license pursuant to this subsection shall,
44 during the person's first three years of teaching,
45 successfully complete a beginning teacher mentoring and
46 induction program pursuant to section 284.5, and shall
47 successfully complete eighteen postsecondary credit
48 hours of pedagogy coursework before the person may be
49 issued a license beyond the initial license.

50 3. The alternative pathway for an initial

1 administrator license shall include all of the
2 following components:

3 a. A requirement that the applicant for the
4 alternative pathway to an initial administrator license
5 meet all of the following criteria:

6 (1) Hold, at a minimum, a bachelor's degree from a
7 regionally accredited postsecondary institution.

8 (2) Have successfully passed a background check
9 conducted in accordance with section 272.2, subsection
10 17.

11 b. A requirement that a person who is issued an
12 initial administrator license through the alternative
13 pathway specified by this subsection may be employed by
14 a school district or accredited nonpublic school and,
15 for the first consecutive three years of employment
16 as a building principal, shall be supervised and
17 mentored by a person who holds a valid professional
18 administrator license.

19 4. A person with at least five recent years of
20 successful experience as a professional educator, and
21 who is enrolled in an alternative principal licensing
22 program approved by the board, may qualify for an
23 initial administrator license.

24 5. A person with at least five recent years of
25 successful management experience in business; industry;
26 local, state, or federal government; or the military
27 service of the United States, and who has successfully
28 completed an alternative principal licensing program
29 approved by the board, may qualify for an initial
30 administrator license.

31 6. a. The alternative pathway for an initial
32 administrator endorsement for school superintendents
33 and area education agency administrators shall require
34 an applicant to meet all of the following criteria:

35 (1) Hold, at a minimum, a bachelor's degree from a
36 regionally accredited postsecondary institution.

37 (2) Have successfully passed a background check
38 conducted in accordance with section 272.2, subsection
39 17.

40 (3) Have at least five recent years of successful,
41 relevant experience as a professional educator or
42 management experience in business; industry; local,
43 state, or federal government; or the military service
44 of the United States.

45 b. A person issued an initial administrator
46 endorsement for superintendents or area education
47 agency administrators under this subsection shall
48 successfully complete a beginning mentoring and
49 induction program with a mentor who is a superintendent
50 or area education agency administrator, as appropriate.

1 c. A person issued an initial administrator
2 endorsement for superintendents or area education
3 agency administrators pursuant to this subsection,
4 who successfully completes three years of experience
5 as a superintendent or area education agency
6 administrator, may be issued a license beyond the
7 initial administrator endorsement.

8 7. Upon application, a person who holds an initial
9 administrator license issued pursuant to subsection 3,
10 and who has three years of successful experience as a
11 principal, shall be issued a professional administrator
12 license.

13 Sec. 65. Section 272.25, subsection 1, Code 2011,
14 is amended to read as follows:

15 1. A requirement that each student admitted to
16 an approved practitioner preparation program must
17 participate in field experiences that include both
18 observation and participation in teaching activities in
19 a variety of school settings. These field experiences
20 shall comprise a total of at least fifty hours in
21 duration, at least ten hours of which shall occur prior
22 to a student's acceptance in an approved practitioner
23 preparation program. The student teaching experience
24 shall be a minimum of ~~twelve~~ fifteen weeks in duration
25 during the student's final year of the practitioner
26 preparation program.

27 Sec. 66. Section 272.31, Code 2011, is amended by
28 adding the following new subsection:

29 NEW SUBSECTION. 2A. The board shall issue a school
30 administration manager authorization to an individual
31 who successfully completes a training program that
32 meets the standards set by the state board pursuant to
33 section 256.7, subsection 30, and who complies with
34 rules adopted by the state board pursuant to subsection
35 3.

36 DIVISION XVI

37 KINDERGARTEN REQUIREMENT

38 Sec. 67. Section 299.1A, Code 2011, is amended to
39 read as follows:

40 299.1A Compulsory attendance age.

41 1. A Except as provided in subsection 2, a
42 child who has reached the age of six and is under
43 sixteen years of age by September 15 is of compulsory
44 attendance age. However, if a child enrolled in a
45 school district or accredited nonpublic school reaches
46 the age of sixteen on or after September 15, the child
47 remains of compulsory age until the end of the regular
48 school calendar.

49 2. A child who has reached the age of five by
50 September 15 and who is enrolled in a school district

S-5216

Page 40

1 shall be considered to be of compulsory attendance age
2 unless the parent or guardian of the child notifies
3 the school district in writing of the parent's or
4 guardian's intent to remove the child from enrollment
5 in the school district.

DIVISION XVII

STATE MANDATE

8 Sec. 68. STATE MANDATE FUNDING SPECIFIED. In
9 accordance with section 25B.2, subsection 3, the state
10 cost of requiring compliance with any state mandate
11 included in this Act shall be paid by a school district
12 from state school foundation aid received by the school
13 district under section 257.16. This specification
14 of the payment of the state cost shall be deemed to
15 meet all of the state funding-related requirements of
16 section 25B.2, subsection 3, and no additional state
17 funding shall be necessary for the full implementation
18 of this Act by and enforcement of this Act against all
19 affected school districts.>

20 2. Title page, line 4, before <school> by inserting
21 <the department of management,>

22 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5216 FILED APRIL 17, 2012

HOUSE FILE 2329

S-5214

1 Amend the amendment, S-5130, to House File 2329,
2 as amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by striking lines 6 through 18.

By DICK L. DEARDEN

S-5214 FILED APRIL 17, 2012

S-5217

1 Amend House File 2422, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 17, by striking <or owner>
4 2. Page 1, line 18, after <facility.> by inserting
5 <For purposes of this paragraph, the approval of
6 the administrator of the nursing facility cannot
7 be withheld on the basis of considerations that are
8 otherwise prohibited by state or federal law.>
9 3. Page 2, lines 13 and 14, by striking <or owner>
10 4. Page 2, line 14, after <facility.> by inserting
11 <For purposes of this subsection, the approval of the
12 administrator of the residential care facility cannot
13 be withheld on the basis of considerations that are
14 otherwise prohibited by state or federal law.>
15 5. By striking page 2, line 15, through page 4,
16 line 12, and inserting:
17 <Sec. _____. Section 229A.8A, subsection 5, Code
18 2011, is amended to read as follows:
19 5. ~~Committed~~ Except as provided in subsection 6A,
20 committed persons in the transitional release program
21 are not necessarily required to be segregated from
22 other persons.
23 Sec. _____. Section 229A.8A, Code 2011, is amended by
24 adding the following new subsection:
25 NEW SUBSECTION. 6A. Persons in the transitional
26 release program shall not be released to a health care
27 facility as defined in section 135C.1.
28 Sec. _____. Section 229A.9A, Code 2011, is amended by
29 adding the following new subsection:
30 NEW SUBSECTION. 3A. If a release with or without
31 supervision is ordered, the committed person shall not
32 be released to a health care facility as defined in
33 section 135C.1.>
34 6. Page 5, line 6, by striking <or owner>
35 7. Page 5, line 7, after <program.> by inserting
36 <For purposes of this subsection, the approval of
37 the manager of the assisted living program cannot
38 be withheld on the basis of considerations that are
39 otherwise prohibited by state or federal law.>
40 8. Page 5, by striking lines 8 through 10.
41 9. By striking page 5, line 19, through page 6,
42 line 19.
43 10. Page 8, line 9, after <appeals> by inserting <,
44 in conjunction with the department of human services,>
45 11. Page 8, line 31, by striking <deems> and
46 inserting <and the department of human services deem>
47 12. By striking page 8, line 32, through page 9,
48 line 4.
49 13. By striking page 9, line 5, through page 10,
50 line 12, and inserting:

1 <3. The committee shall discuss and make
2 recommendations on options to create a new facility
3 or assist an existing facility to expand services
4 to provide care for elderly persons who have
5 previously been declared to be a sexually violent
6 predator pursuant to chapter 229A. The committee
7 shall identify the characteristics of a client
8 for such a facility, the need for such a facility,
9 options for creating a new facility to house such
10 clients, options for the expansion of an existing
11 facility to house such clients, options for using any
12 alternative facilities for such purposes, options for
13 a public-private partnership for such a facility,
14 options for using part of a mental health institute
15 to house such clients, options to qualify a facility
16 for Medicaid reimbursement, cost projections for any
17 recommendations, regulatory challenges, and other
18 information deemed relevant by the department of
19 inspections and appeals and the department of human
20 services. The committee shall also discuss and make
21 recommendations on the right of nursing facilities,
22 residential care facilities, and assisted living
23 programs to transfer or discharge a resident or tenant
24 who has previously been declared to be a sexually
25 violent predator.>

26 14. By striking page 10, line 16, through page 11,
27 line 11.

28 15. Title page, by striking lines 1 through 4 and
29 inserting <An Act relating to the care and housing of
30 elderly sex offenders and sexually violent predators
31 and including effective date provisions.>

32 16. By renumbering as necessary.

By TOM HANCOCK